

REMARKS

Reconsideration is requested for Claims 59-77.

Initially, the undersigned wishes to thank Examiner Semunegus for her time, attention, and consideration during the interview at the U.S. Patent and Trademark Office in connection with this application on January 16, 2002.

In the Official Action, claim 59 was rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,809,612 to *Ballreich et al.* Claims 62 and 63 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Ballreich et al.* Claims 60-61 and 64 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Ballreich et al.* in view of U.S. Patent No. 3,745,924 to *Scanlon*. Claims 65-77 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Ballreich et al.* in view of U.S. Patent No. 3,144,827 to *Boutwell*. Claim 68 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Ballreich et al.* in view of *Scanlon* and U.S. Patent No. 6,237,494 to *Brunet et al.*

During the interview, it was pointed out that the applied references do not disclose or suggest a method of making an ammunition article, comprising the steps of injection molding plastic around at least a portion of a projectile to form a plastic cartridge casing body having a first end to which the projectile is attached and a second end as claimed in independent claim 59. In a telephone message subsequent to the interview, the Examiner advised that the rejections based on the references listed above will be withdrawn. However, the Examiner indicated that another reference, U.S. Patent No. 2,862,446 to *Ringdal*, appeared to disclose a method as claimed.

Ringdal discloses a very specific cartridge structure with a case having a front end constructed in such a way that a secure anchoring of a projectile in the front end is provided. Col. 1, lines 24-28. The cartridge includes a projectile 7 moulded or cast in the front end 3' of a plastic cartridge case 3 as the case is moulded in one piece. The cartridge includes a radial partition wall 6 that separates the rear portion of the case 3 from a front portion in which the projectile 7 is secured. The projectile 7 is secured to the case 3 by means of a bead or flange 8 that engages a corresponding groove in the projectile, and the rear end 9 of an envelope of the projectile is bent in and moulded into the partition wall.

In summary, the invention of *Ringdal* is a cartridge having a two-piece projectile assembly including the projectile 7 having an envelope. The envelope is required so that the projectile 7 is secured in the case 3. When the cartridge is fired, the projectile 7, the envelope, and the radial partition wall 6 in which the rear end 9 of the envelope is embedded are blown out together. Col. 2, lines 25-27.

Independent claim 59 has been amended to clarify that the method involves injection molding plastic around at least a portion of a *one-piece* projectile to form a plastic cartridge casing body having a first end to which the projectile is attached and a second end. The method of moulding or casting the front end 3' of the case 3 involves molding plastic around a portion of a two-piece projectile (the projectile 7 and its envelope 9) and the projectile is only properly secured in place because the end 9 of the envelope of the projectile is bent over and embedded in the radial partition wall. Thus, *Ringdal* does not anticipate claim 59.

One skilled in the art would not have modified *Ringdal* to injection mold plastic around at least a portion of a one-piece projectile to form a plastic cartridge casing body having a first end to which the projectile is attached and a second end because to do so would destroy the invention of *Ringdal* for its intended function – to secure a projectile in a plastic case by embedding the bent rear end of the envelope of the projectile in a radial partition wall. *See, e.g.*, Claim 1 (describing the structure of the claimed invention as including a projectile comprising an envelope with a rear end that is flanged and embedded in a radial partition wall). It is, of course, impermissible to modify a reference so that it is destroyed for its intended function.

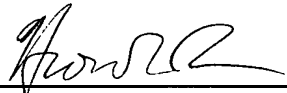
In summary, it is respectfully submitted that, in addition to the claims being patentably distinguishable over the references cited in the September 5, 2002, Official Action, the claims are not anticipated by and define patentably over *Ringdal*, whether considered by itself or in combination with other references.

It is respectfully submitted that all of the claims presently under consideration, Claims 59-77, are in condition for allowance. Allowance is cordially urged.

If the Examiner should be of the opinion that a telephone conference would be helpful in resolving any outstanding issues, the Examiner is urged to contact the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: 
Harold R. Brown III
Registration No. 36,341

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

Date: Jan 29, 2003

Appendix

Kindly amend the claims as follows:

59. (Twice Amended) A method of making an ammunition article, comprising the steps of:

injection molding plastic around at least a portion of a one-piece projectile to form a plastic cartridge casing body having a first end to which the projectile is attached and a second end.